

REMARKS

Claims 4-6 are pending in the application and claim 10 is new. Claims 1-3 and 7-9 have been cancelled. The Examiner rejected claims 1-3, 6 and 9 and objected to claims 4-5, but indicated that claims 4-5 would be allowed if rewritten in independent form. Applicants acknowledge with appreciation the indication that claims 4-5 are allowable. Applicants respectfully seek favorable reconsideration of claims 4-6 in view of the amendments to the claims and the following remarks.

As mentioned above, the Examiner objected to claims 4-5 as being dependent upon a rejected base claim. Applicants have amended claim 4 to be in independent form and claim 5 depends from claim 4. Accordingly, Applicants respectfully request withdrawal of the objection to claims 4-5.

The Examiner rejected claims 1-2 and 6 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,162,012 ("Tuckey et al."). Applicants have cancelled claims 1-2 and amended independent claim 6 to include all of the limitations of allowable claim 4. More specifically, claim 6 has been amended to claim "wherein at least one of said concentric channels comprises at least two pumping channel portions and at least two stripper channel portions and wherein one or more radially inner said concentric channels each comprise a single said pumping channel portion and a single said stripper channel portion." Support for the amendment to claim 6 is found in original claim 4. No new matter has been introduced. The rejections to claims 1-2 have been obviated by the cancellation of these claims. In addition, the Examiner has indicated that claim 4 would be allowable if rewritten in independent form. Moreover, the only difference between claims 4 and 6 is that claim 4 is directed to a regenerative fluid pump and claim 6 is directed to a stator. Thus, Applicants respectfully submit that amended claim 6, which contains the limitations of original claim 4, is similarly not anticipated by Tuckey et al. Accordingly, Applicants respectfully request withdrawal of the rejection to amended independent claim 6.

The Examiner also rejected claims 3 and 9 under 35 U.S.C. § 103(a) as being obvious in view of Tuckey et al. combined with U.S. Patent No. 5,498,125 ("Hablanian"). As discussed above, Applicants have cancelled claims 3 and 9 thereby obviating the rejection of these claims.

New claim 10 depends from amended independent claim 6 and includes all of the limitations of allowable claim 5. New claim 10 claims "wherein one of said single pumping

channel portions comprises two inlets.” Support for new claim 10 is found in original claim 5, page 5 ¶ 1 and Figs 1-2 of the application as filed. No new matter has been introduced.

Accordingly, Applicants respectfully submit that new claim 10 is allowable for at least the same reasons set forth above and in the Office Action with respect to claim 5 and request the allowance of new claim 10.

In view of the foregoing remarks, Applicants respectfully submit that amended claims 4-6 and new claim 10 are neither anticipated nor rendered obvious by Tuckey et al. either alone or in combination with Hablanian. Accordingly, Applicants respectfully request the allowance of claims 4-5 and 10 and withdrawal of the rejection of claim 6, and that the application be promptly passed to issue.

Respectfully submitted,



Ira Lee Zebrak  
Registration No. 31,147  
Attorney for Applicant(s)  
Date:

*Nov 2, 2006*

The BOC Group, Inc.  
575 Mountain Avenue  
Murray Hill, NJ 07974  
Phone: 908-771-6469  
Fax: 908-771-6159

**CUSTOMER NO.: 020411**